

REMARKS

By this Amendment, claims 20-30 and 32-33 are amended. Claims 34-36 are added. No new matter is added. Accordingly, claims 20-30 and 32-36 are pending. Reconsideration of the application is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representatives by Examiner Maki in the January 27 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks. During the interview, Examiner Maki stated that the proposed changes to the claims raise new issues. Therefore, this Amendment is filed with a Request for Continued Examination (RCE) and the required fee.

1. §112, Second Paragraph Rejection

Claims 20-30 and 32-33 stand rejected under 35 U.S.C. §112, second paragraph, for being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the Office Action states that the scope and meaning of the phrase "said sipes creating a circumferential force on each of said tread blocks" is ambiguous since sipes define a void area, which is incapable of creating a circumferential force.

Applicants respectfully submit that the above phrase to which the Office Action objects has been amended. The language objected to by the Office Action has been replaced with language that the Applicants believe is responsive to the Office Action objection. Applicants respectfully submit that the above rejection is moot with respect to claims 20-30 and 32-33. Accordingly, withdrawal of this rejection is respectfully requested.

2. §112, First Paragraph Rejection

Claims 20-30 and 32-33 stand rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. Specifically, the Office Action states that specification fails to disclose the scope and meaning of the phrase "said sipes creating a circumferential force on each of said tread blocks . . . creating an overall moment on the tire to affect RAT." (emphasis added)

Applicants respectfully submit that the above phrase to which the Office Action objects has been amended. The language objected to by the Office Action has been replaced with language that the Applicants believe is responsive the Office Action objection. Applicants respectfully submit that the above rejection is moot with respect to claims 20-30 and 32-33. Accordingly, withdrawal of this rejection is respectfully requested.

3. §112, First Paragraph Rejection

Claims 20-30 and 32-33 stand rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. Specifically, the Office Action states that the feature "said sipes creating a circumferential force on each of said tread blocks . . . creating an overall moment on the tire to affect RAT" (emphasis added) is not described in the specification in a way as to enable one skilled in the art to which it pertains to make and/or use the invention.

Applicants respectfully submit that the above phrase to which the Office Action objects has been amended. The language objected to by the Office Action has been replaced with language that the Applicants believe is responsive the Office Action objection. Applicants respectfully submit that the above rejection is moot with respect to claims 20-30 and 32-33. Accordingly, withdrawal of this rejection is respectfully requested.

4. Objections to the Specification

The Office Action objects to the specification for failing to provide antecedent basis for claimed subject matter. Specifically, the Office Action object to the last three lines of claim 32 and requires that the last three lines of claim 32 be added to the specification.

Applicants respectfully submit that the last three lines of claim 32 to which the Office Action objects have been amended. Applicants respectfully submit that the objection is moot. Accordingly, withdrawal of this objection is respectfully requested.

5. §102(b) Rejection

Claims 20-23, 26-29 and 32-33 stand rejected under 35 U.S.C. §102(b) over Japanese Patent JP 11-240314 ("JP314"). This rejection is respectfully traversed.

Independent claim 32 recites, *inter alia* that "an angled sipe formed in each of the tread blocks, each sipe extending for a sipe lateral width and a radial sipe depth at a constant sipe angle of inclination between 2° and 15° with respect to a second radial plane passing through an outermost tread surface of the tread block and adjacent to the sipe and through an axis of rotation of the tire, wherein said sipes on a first side of the mid-circumferential plane extend on a first side of said second radial plane, [and] wherein said sipes on a second side of the mid-circumferential plane extend on a second side of said second radial plane."

(Emphasis added). Applicants respectfully submit that JP314 does not disclose, teach or suggest such a feature.

Support for the above described feature may be found throughout the original specification and drawings. For example, specific support may be found at least at page 6, lines 4-10; page 7, line 20 through page 8, line 4; page 9, lines 3-13; and Figs. 1-5 and Figs. 8-9.

Accordingly, it is respectfully submitted that claim 32 is patentably distinguishable over the applied art. Claims 20-23, 26-29 and 33 depend from independent claim 32 and are likewise patentably distinguishable over the applied art for at least their dependence on allowable base claims, as well as for additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

6. §103 Rejection of Claims 24 and 25

The Office Action rejects claims 24 and 25 under 35 U.S.C. §103 as unpatentable over JP314. This rejection is respectfully traversed.

Claims 24 and 25 depend from claim 32 and therefore include, *inter alia*, "an angled sipe formed in each of the tread blocks, each sipe extending for a sipe lateral width and a radial sipe depth at a constant sipe angle of inclination between 2° and 15° with respect to a second radial plane passing through an outermost tread surface of the tread block and adjacent to the sipe and through an axis of rotation of the tire, wherein said sipes on a first side of the mid-circumferential plane extend on a first side of said second radial plane, [and] wherein said sipes on a second side of the mid-circumferential plane extend on a second side of said second radial plane." (Emphasis added). For reasons stated above, JP314 fails to disclose, teach or suggest this feature.

Accordingly, it is respectfully submitted that claims 24 and 25 are patentably distinguishable over the applied art, for at least the reasons stated above with respect to claim 32. Accordingly, withdrawal of this rejection is respectfully requested.

7. §103 Rejection of Claim 30

The Office Action rejects claim 30 under 35 U.S.C. §103(a) as unpatentable over JP314 in view of U.S. Patent 5,669,993 to Mosely ("Mosely") or U.S. Patent 5,538,060 to Meer et al. ("Meer"). This rejection is respectfully traversed.

Claim 30 depends from claim 32 and therefore includes, *inter alia*, "an angled sipe formed in each of the tread blocks, each sipe extending for a sipe lateral width and a radial sipe depth at a constant sipe angle of inclination between 2° and 15° with respect to a second radial plane passing through an outermost tread surface of the tread block and adjacent to the sipe and through an axis of rotation of the tire, wherein said sipes on a first side of the mid-circumferential plane extend on a first side of said second radial plane, [and] wherein said sipes on a second side of the mid-circumferential plane extend on a second side of said second radial plane." (Emphasis added). For reasons stated above, JP314 fails to disclose, teach or suggest this feature. Mosely and Meer fail to correct this deficiency in JP314.

Accordingly, it is respectfully submitted that claim 30 is patentably distinguishable over the applied art, for at least the reasons stated above with respect to claim 32.

Accordingly, withdrawal of this rejection is respectfully requested.

8. §103 Rejection of Claims 20-29 and 32-33

The Office Action rejects claims 20-29 and 32-33 under 35 U.S.C. §103(a) as unpatentable over Japanese Patent JP 10-138715 ("JP715") in view of JP314. This rejection is respectfully traversed.

Independent claim 32 recites, *inter alia* that "an angled sipe formed in each of the tread blocks, each sipe extending for a sipe lateral width and a radial sipe depth at a constant sipe angle of inclination between 2° and 15° with respect to a second radial plane passing through an outermost tread surface of the tread block and adjacent to the sipe and through an

axis of rotation of the tire, wherein said sipes on a first side of the mid-circumferential plane extend on a first side of said second radial plane, [and] wherein said sipes on a second side of the mid-circumferential plane extend on a second side of said second radial plane." (Emphasis added). Applicants respectfully submit that neither JP715 or JP314 disclose, teach or suggest such a feature.

Accordingly, it is respectfully submitted that claim 32 is patentably distinguishable over the applied art. Claims 20-29 and 33 depend from independent claim 32 and are likewise patentably distinguishable over the applied art for at least their dependence on allowable base claims, as well as for additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

9. New Claims

By this Amendment, claims 34-36 are added. No new matter is added. Applicants respectfully submit that support for claims 34-36 may be found throughout the original specification and drawings. Specific support may be found at page 5, line 10, through page 7, line 5; page 7, line 20 through page 8, line 4; page 9, lines 3-13; and Figs. 1-5 and Figs. 8-9.

For example, the terms "sipe lateral width," "radial sipe depth" and "sipe angle of inclination" used in the amended claims are described in the original specification at page 7, line 20 through page 8, line 4, and in Figs. 8 and 9.

New Claim 34

New claim 34 recites, *inter alia*, "an angled sipe formed in each of the tread blocks, each angled sipe extending for a sipe lateral width and a radial sipe depth at a sipe angle of inclination between 2° and 15° with respect to a second radial plane passing through an outermost tread surface of the tread block and adjacent to the angled sipe and through an axis

of rotation of the tire, **the angle not passing through zero** for the sipe lateral width of the sipe." (Emphasis added). Support for new claim 34 may be found throughout the original specification and drawings.

Applicants respectfully submit that JP314 does not disclose, teach or suggest such features. For example, over the span of a sipe lateral width, the sipe angle of inclination in JP314 does not stay between 2° and 15°. Over the span of a sipe lateral width, JP314 teaches that the sipe angle of inclination necessarily crosses through zero, as demonstrated by the "X" shaped sipe embodiments presented in JP314.

For at least this reason, as well as other reasons described above, Applicant respectfully asserts that claim 34 is patentably distinguishable over the cited references, including JP314.

New Claim 36

Independent claim 36 recites, *inter alia*, " wherein the sipe angle of inclination is independent of a shape of the tread block or a shape of said laterally extending grooves." Support for new claim 36 may be found throughout the original specification and drawings. Specifically, please see support at page 5, lines 19-21.

During the January 27 personal interview, Examiner Maki referred to Japanese Patent JP 04100706 ("JP706") to support an assertion that the claims should recite "symmetrical" tread blocks. Applicant's respectfully assert that such a recitation is not required to overcome JP706.

For example, on page 34, paragraph 5-6, JP706 defines lines "L" and "M" relative to the shape of the block and the shape of the leading and trailing edges of the grooves forming the block. On page 34, paragraph 1 (last line), JP706 states that sipes within a tread block are formed parallel to one of line "L" and "M." In contrast, the present application at page 5,

lines 19-21, states that "the particular shapes of the tread blocks . . . can vary without affecting the concept of the invention as well as the various directions and shapes of the intervening grooves." Therefore, according to claim 36, the direction and sipe angle of inclination is independent of a shape of the tire tread blocks or a shape or a direction of the laterally extending grooves between tread blocks. For at least this reason, as well as other reasons described above, Applicant respectfully asserts that claim 36 is patentably distinguishable over the cited references and JP706.

10. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of all claims are earnestly solicited.

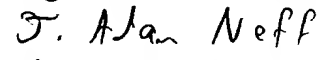
Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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EDM:JMH

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